

REMARKS

This application has been reviewed in light of the Office Action dated November 5, 2002. Claims 45, 46, 48, 49, and 51-65 are presented for examination. Claims 45, 48, and 51, the only claims in independent form, have been amended to define more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

The Office Action rejected Claims 45, 46, 48, 49, and 51-65 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,228,118 (Sasaki) in view of U.S. Patent No. 5,580,177 (Gase et al.). Applicant submits that independent Claims 45, 48, and 51, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 45 is directed to an information processing apparatus that includes a determiner, an inquirer, and a receiver. The determiner sends an inquiry about information to a network in order to determine a presence or an absence of a printer connected to the network. If the determiner determines the presence of the printer connected to the network, the inquirer makes an inquiry about a printer language supported by the printer. In response to the inquiry, the receiver receives information about the printer language supported by the printer.

Sasaki, as understood by Applicant, relates to a printing system with a printer having at least one interpreter for interpreting print data. The Office Action alleges that Sasaki discloses the inquirer and the receiver of Claim 45, but concedes that Sasaki "does not teach a determiner adapted for determining a presence or an absence of a printer connected to a network. Sasaki does not specify making an inquiry about a printer language supported by the printer

connected to the network if the determiner determines the presence of the printer connected to the network."

Gase et al. relates to a network system that includes client computers, a file server, and printers. As understood by Applicant, if a printer is added to a site of the network system, each client must be informed of the network configuration change and a printer driver must be installed on the client computers for the printer. Apparently, to do this, Gase et al. teaches that each "modular I/O card 30 periodically "advertises" its availability by the transmission of messages to file server 16. Each message includes the name of the service, the type of service and the address of the available service (e.g. print actions)." (See column 4, lines 38-42.)

Applicant submits that a combination of Sasaki and Gase et al., assuming such combination would even be permissible, would fail to teach or suggest an information processing apparatus that includes: "a determiner adapted to send an inquiry about information to a network in order to determine a presence or an absence of a printer connected to the network," and "an inquirer adapted for making an inquiry about a printer language supported by the printer connected to the network if said determiner determines the presence of the printer connected to the network," as recited in Claim 45.

The Office Action alleges that Gase et al., at column 1, lines 43-48, teaches the claimed determiner. However, the cited portion of Gase et al. states:

For instance, if a new printer type is added to a site, each client computer must be informed of the network configuration change and a new printer driver must be installed on the client computer for the device.

As discussed above, Gase et al. is understood to disclose that a printer availability is periodically "advertised," so that a client computer may be informed of the availability. That is, the client computer *passively waits* to be informed of a printer availability. Applicant respectfully submits that one of ordinary skill in the relevant art would find nothing in the cited portion of Gase et al. suggestive of an information processing apparatus that *actively sends* an inquiry about information to a network to determine a presence or an absence of a printer connected to the network.

Further, in the Gase et al. system, if a printer availability is "advertised" before the client computer starts up, the client computer cannot know about the availability (presence or the absence) of the printer until the next periodic "advertisement" of the printer's availability. The apparatus of Claim 45 does not have such a problem, because it makes an inquiry to the network to determine the presence or absence of the printer. That is, the claimed apparatus does not merely wait for such information to be "advertised."

Accordingly, Applicant submits that Claim 45 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claims 48 and 51 include a feature similar to that discussed above, in which an inquiry about information is sent to a network in order to determine a presence or an absence of a printer connected to the network. Therefore, those claims also are believed to be patentable for at least the same reasons as discussed above.


The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the

invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

No petition to extend the time for response to the Office Action is deemed necessary for the present Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


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